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REMARKS/ARGUMENTS

Applicant would like to thank the Examiner for the thorough review of the present application. Based upon the amendments and the following remarks, Applicants respectfully request reconsideration of the present application and allowance of the pending claims.

The Present Invention

The present invention comprises a method and system for selectively implementing and enforcing Authentication, Authorization and Accounting (AAA). The authentication capability can be based upon multiple methods. First, AAA can be done based upon where the traffic is originating, such as a location, computer, circuit, or user. Secondly, the authentication and authorization capability can be based upon the type of services the user is attempting to access, such as a destination address. This can be a destination port or Internet address, a TCP port, a network. Third, AAA can be based upon the content type or protocol being transmitted. For example, each packet can be filtered through the selective AAA process, so that a user can be authorized access to a particular location. Each time the user attempts to access a different location, the user is subject to the AAA, so the user may be prevented access from a particular site the AAA method deems inaccessible to the user based upon the user's authorization. Alternatively, the AAA method according to the present invention allows users to connect directly to a specific site, such as credit card or billing servers which collect billing information, which can indicate that the user has paid, so that the user is thereafter authorized access to networks. Additionally, a user's authorization can depend upon a specific time, so that the user can be kicked off a network at a specific time, after a specific time has elapsed, or according to other dynamic information determined by the network provider.

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35 U.S.C. § 102 (e) Rejections

Claims 1-15 stand rejected under 35 U.S.C. 102 (e) as being anticipated by United States Patent No. 6,434,619 issued to Lim et al. (the '619 Lim patent).

According to the Office Action, the '619 Lim patent teaches all of elements of Claim 1. Specifically, according to the Office Action, the '619 Lim patent teaches a method for authorizing, authenticating and accounting users having transparent access to a destination network, wherein the users otherwise have access to a home network through home network settings resident on the user's computers, and wherein the users can access the destination network without altering the home network settings, comprising:

receiving at a gateway device a request from a user for access to the destination network; (Column 4, lines 19-24)

identifying an attribute associated with the user based upon a packet received by the gateway device, wherein the packet is transmitted from the user's computer, wherein the user's computer remains configured for accessing the home network, and wherein no additional configuration software need be installed on the user's computer to access the destination network; (Column 9, lines 10-15 and Column 5, lines 7-24)

accessing a user profile corresponding to the user and stored in a user profile database, where the user profile is accessed based upon the attribute associated with the user; (Column 4, lines 36-38) and

determining if the user is entitled to access the destination network based upon the user profile. (Column 5, lines 16-24).

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The Office Action further states that the service provider servers (Figure 2 of the '619 Lim patent) provide the functionality of accounting, authorization and authentication.

The '619 Lim Patent Does Not Teach how to Perform AAA Access Control from Gateway Device that is Located Within the Access Network (i.e., Prior to the Internet/WWW)

The teachings of the '619 Lim patent are distinguishable from the claimed invention in that the Lim patent does not teach a gateway device that provides AAA access control. By definition, a gateway device will be physically located within the access network (i.e., between the user and the Internet/WWW).

The '619 Lim patent teaches AAA access control being performed at a Customer Service Management (CSM) server that is physically located downstream, beyond the access network (i.e., between the Internet/WWW and the desired destination network, i.e., the network manager system). (See Figure 2 of the '619 Lim patent and the discussion beginning at Column 3, line 9)

Independent Claims 1 and 9 of the present invention, specifically require that the AAA access control occur from the gateway device. As such the present invention, as opposed to the teachings of the '619 Lim patent, is able to provide AAA access control before the user is granted access to the Internet/WWW.

This is key to the inventive concepts of the present invention because by providing for AAA access control local to where the user is located, i.e., at the gateway device, the user is able to remain configured for a home network even though they are accessing a destination network. This limitation is positively stated in the preamble for the independent method claim, Claim 1 and the preamble for the system claim, Claim 9. The '619 Lim patent does not provide for this concept because the AAA access control is performed, downstream, remote from the access point.

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Thus for the reasons stated above, independent claims 1 and 9, and the dependent claims that add further limitations, are distinguishable from the teachings of the '619 Lim patent and, thus are patentable.

The Lim '619 Patent Does Not Teach AAA Access Control Absent Reconfiguration, Alteration of the Home Network Settings And/Or Executing Additional Configuration Software at the User's Computer

The teachings of the '619 Lim patent are distinguishable, in that, they do not teach AAA access control being performed *absent* reconfiguration, alteration of the home network settings, and/or executing additional configuration software at the user's computer.

The '619 Lim patent teaches AAA access control occurring downstream at the CSM server. Thus, the '619 Lim patent would require reconfiguration of the user's computer to gain access to the destination network. Moreover, the '619 Lim patent would require reconfiguration of the user's computer to even be able to reach the CSM server across the Internet.

In the present invention, by providing for AAA access control at the gateway device the present invention is able to provide transparent access regardless of configuration, i.e., no additional configuration software needs be installed on the user's computer to access the destination network, no alteration of the home network settings is required and no additional configuration software or agents are required at the user's computer. These limitations are specifically stated in the independent method claim, Claim 1, and the independent system claim, Claim 9.

Thus for the reasons stated above, independent claims 1 and 9, and the dependent claims that add further limitations, are distinguishable from the teachings of the '619 Lim patent and, thus are patentable.

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The Lim '619 Patent Does Not Teach AAA Access Control Absent the Use of Virtual Private Networks

The teachings of the Lim '619 patent are distinguishable, in that, the Lim patent requires the creation of Virtual Private Networks (VPNs) to perform AAA and grant selective access. The VPNs are required in the Lim '619 patent because the AAA access control is being performed downstream at the CSM server.

In the present invention, the need for VPNs is obviated by the fact that AAA access control is being performed from the gateway device. As such, in the present invention, AAA and the granting of selective access is accomplished within the user's destination network.

As such, applicant respectfully submits that all of the independent claims, which have been rejected under 35 U.S.C. § 102 (e), as well as the dependent claims that depend there from, are not anticipated by legal standards and, are thus, patentable.

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Conclusion

In view of the proposed amended claims and the remarks submitted above, it is respectfully submitted that the present claims are in condition for immediate allowance. It is therefore respectfully requested that a Notice of Allowance be issued. The Examiner is encouraged to contact Applicant's undersigned attorney to resolve any remaining issues in order to expedite examination of the present invention.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



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